



MAIL STOP AF
RESPONSE UNDER
37 C.F.R. § 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 2633

PATENT
29250-001037/US

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Narayan L. GEHLOT Conf.: 1077
Appl. No.: 09/897,848 Group: 2638
Filed: July 2, 2001 Examiner: Dzung D. Tran
For: OPTICAL CHANNEL OPERATING PARAMETERS
MONITORING
Docket No.: 29250-001037/US

**NOTICE OF APPEAL FROM THE
PRIMARY EXAMINER TO THE BOARD OF APPEALS**

Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314
Mail Stop AF

October 14, 2005

	10/17/2005 JADDO1	00000073 09897848
	01 FC:1251	120.00 OP
	02 FC:1401	500.00 OP

Sir:

Applicants hereby appeal to the Board of Appeals from the decision dated _____ of the Primary Examiner finally rejecting claims _____.

- The enclosed document is being transmitted via the Certificate of Mailing provisions of 37 C.F.R. § 1.8.
- The enclosed document is concurrently filed with a Pre-Appeal Brief Request for Review.

Applicants hereby petition for an extension of _____ () month(s) pursuant to 37 C.F.R. §§ 1.17 and 1.136(a).

The fee has been calculated as shown below:

Application No.
Attorney Docket No. /US

- NO extensions of time have been previously obtained for responding to the Final Rejection. Thus a fee of \$.00 is required for the full period of the above-requested extension of time.
- An extension of _____ month(s) for responding to the Final Rejection was previously requested and paid for on _____. Thus a fee of \$_____ is required.
- Applicant claims small entity status. See 37 C.F.R. § 1.27.

The Government fee for filing a Notice of Appeal to the Board of Appeals is calculated as follows:

- Large entity - \$500.00
- Small Entity - \$250.00

Therefore, the TOTAL FEE due for the filing of this Notice of Appeal is \$_____.

Payment of the above TOTAL FEE is being made in the following manner:

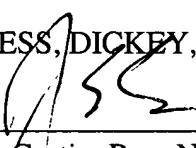
- Check in the amount of \$.00 is enclosed.
- Please charge Deposit Account No. 08-0750 in the amount of \$0.00. A triplicate copy of this sheet is attached.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKEY, & PIERCE, P.L.C.

By


John E. Curtin, Reg. No. 37,602

P.O. Box 8910
Reston, Virginia 20195
(703) 668-8000

JEC/ame

OCT 14 2005

HDP/SB/21 based on PTO/SB/21 (08-00)

Please type a plus sign (+) inside this box →

TRANSMITTAL FORM

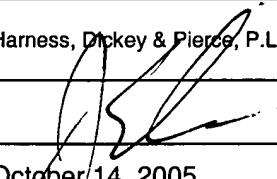
(to be used for all correspondence after initial filing)

Application Number	09/897,848
Filing Date	July 2, 2001
Inventor(s)	Narayan L. GEHLOT
Group Art Unit	2638
Examiner Name	Dzung D. Tran
Attorney Docket Number	29250-001037/US

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers <i>(for an Application)</i> <input type="checkbox"/> Letter to the Official Draftsperson and _____ Sheets of Formal Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> LETTER SUBMITTING APPEAL BRIEF AND APPEAL BRIEF (w/clean version of pending claims) <input checked="" type="checkbox"/> Appeal Communication to Group <i>(Notice of Appeal, Brief, Reply Brief)</i> <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) <i>(please identify below):</i>
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Harness, Dickey & Pierce, P.L.C.	Attorney Name John E. Curtin	Reg. No. 37,602
Signature			
Date	October 14, 2005		

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2005

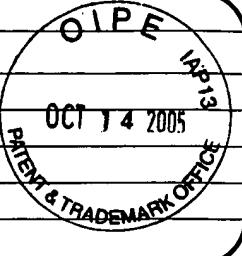
Effective 10/01/2004. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 620.00)

Complete if Known

Application Number	09/897,848
Filing Date	July 2, 2001
First Named Inventor	Narayan L. GEHLOT
Examiner Name	Dzung D. Tran
Art Unit	2638
Attorney Docket No.	29250-001037/US



METHOD OF PAYMENT (check all that apply)

 Check Credit card Money Other None
Order
 Deposit Account:

Deposit Account Number	08-0750
Deposit Account Name	Harness, Dickey & Pierce, PLC

The Director is authorized to: (check all that apply)

-
- Charge fee(s) indicated below
-
- Credit any overpayments
-
-
- Charge any additional fee(s) during the pendency of this application
-
-
- Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1011 300	2011 150	Utility filing fee	
1012 200	2012 100	Design filing fee	
1013 200	2013 100	Plant filing fee	
1014 300	2014 150	Reissue filing fee	
1005 200	2005 100	Provisional filing fee	
SUBTOTAL (1)		(\$ 0)	

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims		Extra Claims	Fee from below	Fee Paid
	29	-20 **	= 9 prev. paid for	X [] = 0
Independent Claims	7	-3 **	= 4 prev. paid for	X [] = 0
Multiple Dependent				[] = 0

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description
1202 50	2202 25	Claims in excess of 20
1201 200	2201 100	Independent claims in excess of 3
1203 360	2203 180	Multiple dependent claim, if not paid
1204 200	2204 100	** Reissue independent claims over original patent
1205 50	2205 25	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)		(\$ 0)

** or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 120	2251 60	Extension for reply within first month	120
1252 450	2252 225	Extension for reply within second month	
1253 1020	2253 510	Extension for reply within third month	
1254 1,590	2254 795	Extension for reply within fourth month	
1255 2,160	2255 1080	Extension for reply within fifth month	
1401 500	2401 250	Notice of Appeal	500
1402 500	2402 250	Filing a brief in support of an appeal	
1403 1000	2403 500	Request for oral hearing	
1452 500	2452 250	Petition to revive – unavoidable	
1453 1500	2453 750	Petition to revive – unintentional	
1501 1400	2501 700	Utility issue fee (or reissue)	
1502 800	2502 400	Design issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17 (q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 790	2809 395	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810 790	2810 395	For each additional invention to be examined (37 CFR § 1.129(b))	
1801 790	2801 395	Request for Continued Examination (RCE)	
Other fee (specify) _____			

*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$620)

4. SEARCH/EXAMINATION FEES

1111 500	2111 250	Utility Search Fee	
1112 100	2112 50	Design Search Fee	
1113 300	2113 150	Plant Search Fee	
1114 500	2114 250	Reissue Search Fee	
1311 200	2311 100	Utility Examination Fee	
1312 130	2312 65	Design Examination Fee	
1313 160	2313 80	Plant Examination Fee	
1314 600	2314 300	Reissue Examination Fee	
SUBTOTAL (4)		(\$0)	

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	John E. Curnin	Registration No. (Attorney/Agent)	37,602	Telephone	(703) 668-8000
Signature			Date	10-14-05	

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.